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EXAMINER
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VAN DOREN, BETH

ART UNIT	PAPER NUMBER
3623	17

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Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/503,960

Applicant(s)

RATTERMAN ET AL.

Examiner

Beth Van Doren

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 March 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-11, 14-17, 21-29 and 31-41 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11, 14-17, 21-29 and 31-41 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>16</u> . | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. The following is a Final Office action in response to communications received 02/24/04. Claims 1-2, 14-15, 22-26, 28-29, 33, and 35 have been amended. Claims 12-13, 18-20, and 30 have been cancelled. New claims 40-41 have been added. Claims 1-11, 14-17, 21-29, and 31-41 are now pending.

#### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-8, 14-17, 21-29, 31-32, and 40-41 are rejected under 35 U.S.C. 102(e) as being anticipated by Epinions.com.

Applicant is reminded that this is a rejection over the services made available through the website Epinions.com. The following publications are used to support the rejection set forth below:

Various archived web pages of Epinions.com acquired from webarchive.org (WayBackMachine) ranging from Nov. 27, 1999 to Jan. 22, 2000 on pages 1-18 and 21-28.

Nick Patience in "Epinions Launches Online Shopping Guide Built on Trust" from Sept. 1, 1999 on pages 19-20.

4. As per claim 1, Epinions.com teaches a method comprising:

associating one or more characteristic values with each user of a plurality of users of an online trading community, the one or more characteristic values representing an individual rating associated with each user (See pages 2-5, 9-11, and 19, paragraph 3, wherein a characteristic value is maintained for each user, a user being rated as very useful or useful. The web tool trades services in a community); and

deriving one or more community ratings uniquely corresponding to a particular user by aggregating one or more characteristic values associated with the particular user and the one or more characteristic values associated with each user of the plurality of users sponsored to the online trading community by the particular user (See at least pages 9 and 10, wherein a community rating is derived using the web of trust and reviews of the user's opinion by community members. The community ratings uniquely correspond to the user and use one or more rating values associated with the user. For example, a community rating is seen on the bottom of page 10, where the 11/22/99 review of Bonies7 is considered very useful by the community. See at least pages 2-5, 9-11, and 19, wherein, for example, Bonies7 web of trust shows her relationship with other users. The system maintains this relationship structure and presents the community ratings based on the combinations of the users linked with Bonies7).

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5. As per claim 2, Epinions.com teaches a method wherein the online trading community comprises an electronic community to trade merchandise over a network, wherein the trading of the merchandise comprises at least one of buying or selling of goods or services (See at least pages 1, 6, and 9-11, wherein the electronic community is a community that trades the merchandise of services over the network).
6. As per claim 3, Epinions.com teaches a method wherein the network comprises the Internet (See pages 1 and 19, wherein epinions.com is a internet based tool).
7. As per claim 4, Epinions.com teaches a method wherein the one or more characteristic values comprise a feedback value based on feedback concerning the particular user received from other users of the plurality of users in the electronic community (See pages 9-13 and 19, paragraphs 1-3, wherein each customer can rate and share recommendations and users rate the reviewers and their reviews).
8. As per claim 5, Epinions.com teaches a method wherein the other users of the plurality of users comprise users that have previously traded with the particular user (See at least pages 9-13 and page 19, sections 1-3, wherein the feedback is written by customers who have traded services with the user previously, wherein the user is rated as very useful, useful, etc. See page 9, which lists the plurality of users that “trust” the user).
9. As per claim 6, Epinions.com teaches a method further comprising maintaining a relationship tree between each user of the plurality of users, the relationship tree includes sponsorships between the particular user and any users of the plurality of users that were sponsored by the particular user (See at least page 9, wherein, for example, Bonies7 web of trust

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shows her relationship with other users. The system maintains this relationship structure of users that back the opinion of the specific user).

10. As per claim 7, Epinions.com teaches a method wherein the sponsorship relationships of the plurality of users are represented as a relationship tree including one or more n-ary trees (See at least page 9, wherein, for example, Bonies7 web of trust shows her relationship with other users. The system maintains this relationship structure of users that back the opinion of the specific user. So if Bonies7 is trusted by a hypothetical Joe and Joe is trusted by a hypothetical Sarah, that is a n-ary web or tree of trust).

11. As per claim 8, Epinions.com teaches a method wherein information concerning the sponsorship relationships between the plurality of users is stored in a data structure for each user of the plurality of users (See at least page 9, wherein, for example, Bonies7 web of trust shows her relationship with other users. The system maintains this relationship structure of users that back the opinion of the specific user. Furthermore, see page 6 which discusses sponsorship of members).

12. As per claim 14, Epinions.com teaches a machine-readable medium having stored thereon data representing sets of instructions which, when executed by a machine, cause the machine to:

associate one or more characteristic values with each user of a plurality of user of an online trading community, the one or more characteristic values representing an individual rating associated with each user (See pages 2-5, 9-11, and 19, paragraph 3, wherein a characteristic value is maintained for each user, a user being rated as very useful or useful. The web tool allows members of the community to trade services); and

derive one or more community ratings uniquely corresponding to a particular user by aggregating the one or more characteristic values associated with the particular user and the one or more characteristic values associated with each user of the plurality of users sponsored to the online trading community by the particular user (See at least pages 9 and 10, wherein a community rating is derived using the web of trust and reviews of the user's opinion by community members. The community ratings uniquely correspond to the user and use one or more rating values associated with the user. For example, a community rating is seen on the bottom of page 10, where the 11/22/99 review of Bonies7 is considered very useful by the community. See at least pages 2-5, 9-11, and 19, wherein, for example, Bonies7 web of trust shows her relationship with other users. The system maintains this relationship structure and presents the community ratings based on the combinations of the users linked with Bonies7).

13. As per claim 15, Epinions.com teaches a machine-readable medium further comprising an electronic community for the buying and selling of merchandise over a network, the merchandise having at least one of goods and services (See at least pages 1, 6, and 9-11, wherein the electronic community is a community that trades the merchandise of services over the network).

14. As per claims 16 and 17, claims 16 and 17 are computer readable medium versions of the method of claims 4 and 6, respectively, and are therefore rejected using the same art and rationale as the method of claims 4 and 6, respectively.

15. As per claim 21, Epinions.com teaches a machine-readable medium wherein the one or more community ratings for the particular user represent a reputation value corresponding to the

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particular user (See at least pages 9-11, wherein the rating for the user represents a reputation value of the user as useful, very useful, etc.).

16. As per claim 22, Epinions.com teaches a method comprising:

associating a first characteristic value with a first user of a plurality of users within an online trading community, the first characteristic value being obtained for the first user utilizing a first feedback value based on feedback received concerning the first user from other users of the plurality of users (See pages 2-5, 9-11, and 19, paragraph 3, wherein the web tool allows members to trade services and a characteristic value is maintained for each user, a user being rated as very useful or useful, etc.. See pages 9-13 and 19, paragraphs 1-3, wherein each customer can rate and share recommendations and users rate the reviewers and their reviews);

associating a second characteristic value with a second user of a plurality of users, wherein the second user is sponsored to the online trading community by the first user, the second characteristic value being obtained for the second user utilizing a second feedback value based on feedback received concerning the second user from other users of the plurality of users (See pages 2-5, 9-11, and 19, paragraph 3, wherein a characteristic value is maintained for each user, a user being rated as very useful or useful, etc.. See pages 9-13 and 19, paragraphs 1-3, wherein each customer can rate and share recommendations and users rate the reviewers and their reviews. The system maintains a relationship structure of users that back the opinion of each user. Furthermore, see page 6 which discusses sponsorship of members); and

deriving a first community rating for the first user by aggregating the first characteristic value and the second characteristic value (See page 8, wherein a first community user is deemed an expert by the quality and quantity of his/her reviews as well as the rating he/she gives other



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members. See also pages 2-5, 9-13, and 19, wherein the web of trust shows who the user trusts (or backs) and who trusts (or backs) him/her. Therefore, the community rating is made up of the relationship of the user to other users in the community and his/her rating).

17. As per claim 23, Epinions.com teaches a method further comprising:

associating a third characteristic value with a third user of the plurality of users, wherein the third user is sponsored to the online trading community by the second user, the third characteristic value is obtained for the third user by utilizing a third feedback value based on feedback received concerning the third user from other users of the plurality of users (See page 8, wherein a community user is deemed an expert by the quality and quantity of his/her reviews as well as the rating he/she gives other members. See pages 2-5, 9-13, 19, and 24, wherein a third value is associated with a third user (the third user “backed” by the second), the third value based on feedback about the user); and

deriving a second community rating for the second user by aggregating the second characteristic value and the third characteristic value (See at least pages 9, 10, and 24, wherein a community rating is derived using the web of trust and reviews of the user’s opinion by community members. The community ratings uniquely correspond to the user and use one or more rating values associated with the user. For example, a community rating is seen on the bottom of page 10, where the 11/22/99 review of Bonies7 is considered very useful by the community. The web of trust shows whom the user trusts (or backs) and who trusts (or backs) him/her. Therefore, the community rating is made up of the relationship of the user to other users in the community and his/her rating).

18. As per claim 24, Epinions.com teaches a method further comprising maintaining a relationship tree between the first user and the second user of the plurality of users, wherein the relationship tree comprises a sponsorship relationship having the second user as a lineal descendent of the first user (See at least page 9, wherein, for example, Bonies7 web of trust shows her relationship with other users. The system maintains this relationship structure of users that back the opinion of the specific user. See also page 6 which discusses sponsorship of members).
19. As per claim 25, Epinions.com discloses a method further comprising maintaining a relationship tree between the second user and the third user of the plurality of users, wherein the relationship tree comprises a sponsorship relationship having the third user as a lineal descendant of the second user (See at least page 9, wherein, for example, Bonies7 web of trust shows her relationship with other users. The system maintains this relationship structure of users that back the opinion of the specific user. See also page 6 which discusses sponsorship of members).
20. As per claim 26, Epinions.com discloses a method wherein the relationship tree comprises a nexus between the first user, the second user, and other users sponsored by at least one of the first user and the second user (See at least page 9, wherein, for example, Bonies7 web of trust shows her relationship with other users. The system maintains this relationship structure of connected and linked users that back the opinion of the specific user. See also page 6 which discusses sponsorship of members).
21. As per claim 27, Epinions.com discloses a method wherein the first community rating comprises a first reputation value corresponding to the first user, and the second community rating comprises a second reputation value corresponding to the second user (See at least pages

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9-11, wherein the rating for the user represents a reputation value of the user as useful, very useful, etc. This is done for each member/user in the community).

22. As per claim 28, Epinions.com teaches a machine-readable medium having stored thereon data representing sets of instructions which, when executed by a machine, cause the machine to:

associating a first characteristic value with a first user of a plurality of users within an online trading community, the first characteristic value is obtained for the first user by utilizing a first feedback value based on feedback received concerning the first user from other users of the plurality of users (See pages 2-5, 9-11, and 19, paragraph 3, wherein a characteristic value is maintained for each user, a user being rated as very useful or useful, etc.. See pages 9-13 and 19, paragraphs 1-3, wherein each customer can rate and share recommendations and users rate the reviewers and their reviews);

associating a second characteristic value with a second user of a plurality of users, wherein the second user is sponsored to the online trading community by the first user and the second characteristic value is obtained for the second user by utilizing a second feedback value based on feedback received concerning the second user from other users of the plurality of users (See pages 2-5, 9-11, and 19, paragraph 3, wherein a characteristic value is maintained for each user, a user being rated as very useful or useful, etc.. See pages 9-13 and 19, paragraphs 1-3, wherein each customer can rate and share recommendations and users rate the reviewers and their reviews. The system maintains a relationship structure of users that back the opinion of each user. Furthermore, see page 6 which discusses sponsorship of members); and

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deriving a first community rating for the first user by aggregating the first characteristic value and the second characteristic value (See page 8, wherein a first community user is deemed an expert by the quality and quantity of his/her reviews as well as the rating he/she gives other members. See also pages 2-5, 9-13, and 19, wherein the web of trust shows who the user trusts (or backs) and who trusts (or backs) him/her. Therefore, the community rating is made up of the relationship of the user to other users in the community and his/her rating);

23. As per claims 29 and 31-32, claims 29 and 31-32 are computer readable medium versions of the method of claims 24 and 26-27, respectively, and are therefore rejected using the same art and rationale as the method of claims 24 and 26-27, respectively.

24. As per claims 40 and 41, claims 40 and 41 are computer readable medium versions of the method of claims 23 and 25, respectively, and are therefore rejected using the same art and rationale as the method of claims 23 and 25, respectively.

### ***Claim Rejections - 35 USC § 103***

25. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

26. Claims 11 and 33-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Epinions.com. Applicant is reminded that this is a rejection over the services made available through the website, Epinions.com, as discussed above.

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27. As per claim 11, Epinions.com teaches a method with one or more community ratings and one or more characteristic values (See at least pages 2-5, 9-11, and 19). However, Epinions.com does not expressly disclose that these ratings and values comprise numerical values.

Epinions.com teaches a system that rates users on a scale with Very useful as the highest rating, followed by useful, etc. It is old and well known in the art that many rating schemes use numerical values and that numerical values are more objective and easier to manipulate and understand. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use numeric instead of verbal ratings in order to more efficiently represent the value of a user's opinion through the use of more objective and measurable values.

28. As per claim 33, Epinions.com teaches a system, comprising:

computers that interact over a network such as the internet (See pages 1 and 19, wherein epinions.com is a internet based tool);

maintaining profile/account information of the users as well as the ratings of the opinions and users (See pages 3, 5, 6-7, 10, and 21-28, which discusses the maintenance of a profile and the displaying of past ratings);

a first computer to associate one or more characteristic values representing an individual rating associated with each user of an online trading community, and to derive one or more community ratings uniquely corresponding to a particular user by aggregating the one or more characteristic values associated with the particular user and the one or more characteristic values associated with each user of the plurality of users sponsored to the online trading community by the particular user (See pages 2-5, 9-11, and 19, paragraph 3, wherein user rates other users using

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the online interface and a characteristic value is maintained for each user, a user being rated as very useful or useful. See at least pages 9 and 10, wherein a community rating is derived using the web of trust and reviews of the user's opinion by community members. The community ratings uniquely correspond to the user and use one or more rating values associated with the user. For example, a community rating is seen on the bottom of page 10, where the 11/22/99 review of Bonies7 is considered very useful by the community. See at least pages 2-5, 9-11, and 19, wherein, for example, Bonies7 web of trust shows her relationship with other users. The system maintains this relationship structure and presents the community ratings based on the combinations of the users linked with Bonies7).

However Epinions.com does not expressly disclose a first storage medium or a first computer coupled with the first storage medium.

Epinions.com teaches an Internet based tool that allows users to maintain a profile/account as well as see the current and past reviews of products and reviewers. It is old and well known to use a storage medium associated with a computer in order to store information, such as account and activity information, in an efficient and reliable manner. Therefore it would have been obvious to use a storage medium coupled to a first computer in the networked system of Epinions.com in order to efficiently store and retrieve the information of the tool.

29. As per claim 34, Epinions.com teaches a system further comprising:

computers that interact over a network such as the internet (See pages 1 and 19, wherein epinions.com is a internet based tool);

maintaining profile/account information of the users as well as the ratings of the opinions and users (See pages 3, 5, 6-7, 10, and 21-28, which discusses the maintenance of a profile and the displaying of past ratings); and

a computer to receive feedback concerning the particular user from other users of the plurality of users, generate a feedback value corresponding to the particular user based on the feedback, and transmit the feedback value to the first computer (See pages 2-5, 9-11, and 19, paragraph 3, wherein a characteristic value is maintained for each user, a user being rated as very useful or useful, etc. by other users of the systems. See pages 9-13 and 19, paragraphs 1-3, wherein users can share opinions, rate the opinions of others users, and view the opinions of others via the network tool and his/her computer).

However, Epinions.com does not expressly disclose a second storage medium or a second computer coupled with the second storage medium and first computer via a network interface.

Epinions.com teaches an Internet based tool that allows users to maintain a profile/account as well as see the current and past reviews of products and reviewers. It is old and well known to use a storage medium associated with a computer in order to store information, such as account and activity information, in an efficient and reliable manner. It is also old and well known that a network contains multiple connected computers. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to use a storage medium coupled to a second computer and a first computer in the networked system of Epinions.com in order to allow for the more efficient storage and retrieve of all the information of the tool by all users of the system. When multiple users use a website such as Epinions.com,

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it is old and well known that it is efficient to allow each user to use his/her computer and to use storage mediums to store the information of the system and the profile information of the users.

30. As per claim 35, Epinions.com discloses computers that interact over a network such as the Internet (See pages 1 and 19, wherein epinions.com is a internet based tool. However, Epinions.com does not expressly disclose that a first computer that comprises a server computer and the second computer that comprises a client computer including a viewing computer.

Epinions.com discloses a network-based tool through which a user can receive and post opinion information, such as ratings. Using a remote computer to view information on the Internet that is received from a second computer that is a server is old and well known in the web and e-commerce arts. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use the network framework of a second client viewing computer and a first server computer in the network-based tool of Epinions.com in order to more efficiently allow remote users of the system to send and receive information.

31. As per claims 36, 37, 38, and 39, claims 36, 37, 38, and 39 are system versions of claims 17, 4, 2, and 3, respectively, and are therefore rejected using the same art and rationale as the method of claims 17, 4, 2, and 3, respectively.

32. Claims 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Epinions.com in view of Aho et al. (Data Structures and Algorithms).

33. As per claim 9, Epinions.com teaches a method wherein information concerning the sponsorship relationships between the plurality of users is stored in a data structure for each user of the plurality of users (See at least page 9, wherein, for example, Bonies7 web of trust shows



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her relationship with other users. The system maintains this relationship structure of users that back the opinion of the specific user. Furthermore, see page 6 that discusses sponsorship of members). However, Epinions.com does not expressly disclose that the data structure for the particular user contains a pointer to the at least one user of the plurality of users that was sponsored by the particular user.

Aho et al. teaches a data structure that contains a pointer to the at least one member of a plurality of members (See at least page 87 and figure 3.12, in which the data structure contains a pointer which shows the relationship).

Both Epinions.com and Aho et al. disclose structured relationships of members. It is old and well known in the art to use pointers to show the relationship between entities. For example, in Aho et al.'s book "Data Structures and Algorithms" the use of pointers is shown in figure 3.12 in the data structure to show the relationship between the users (see page 87). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use pointers in the data structures in order to allow one to quickly and accurately determine a users sponsorship and others in their web of trust.

34. As per claim 10, Epinions.com teaches a method wherein one or more community ratings for the particular user is derived (See at least pages 9 and 10). However, Epinions.com does not expressly disclose that the one or more community ratings is derived utilizing a recursive routine.

Aho et al. discloses using recursive routines in data structures (See page 76).

Recursive routines are old and well known as efficient ways to manipulate the values of structured data. The reviews of Epinions.com are associated in a web of trust, which is a data

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structure linking members and members rating in a structured manner to derive overall reviews for a user. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use a recursive routine when deriving one or more community rating for a user in order to more efficiently program and manipulate the information stored about the user ratings in the web of trust.

### ***Response to Arguments***

35. Applicant's arguments with regards to the rejections based on Epinions.com (web pages acquired from webarchive.org (WayBackMachine) and the Nick Patience article "Epinions Launches Online Shopping Guide Built on Trust") have been fully considered but they are not persuasive. In the remarks, Applicant argues that (1) Epinions.com does not teach or suggest deriving one or more community ratings by aggregating one or more characteristic values associated with the particular user and the one or more characteristic values associated with each user of the plurality of users and (2) that rating's of other users' reviews and the other user's reviews of the particular user's ratings is not the same as "associating the one or more characteristic values associated with the particular user".

In response to argument (1) of the Applicant, Examiner respectfully disagrees. Epinions teaches obtaining a rating by combining characteristic (i.e. identified with and unique to) values associated with a user and the values and values associated with the other users. Examiner points out that there is no specific recitation of how the deriving or aggregating occurs, what the characteristic values identify, etc. Epinions.com obtains at least one community rating for the particular user based on the responses of the community to that particular user. First, a web of trust is established representing the community members who trust the particular member, the

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web of trust (such as shown on page 9) being a community ranking that represents one or more characteristic values of quality expressed by other users of the system (i.e. these users have given the particular user high values independently and have therefore been grouped as a community for ranking purposes). Second, a community rating that represents the community's overall opinion towards a the particular user is derived, as shown for example on the bottom of page 10, where the 11/22/99 review of Bonies7 is considered very useful by the community. Finally, a community rating that labels a particular user as an expert is derived using the opinion of the particular user (the quality and quantity of the particular user's opinions) as well as the particular user's rating of other users' review and the other users' reviews of the particular user's ratings. See also page 24. These other users are both linked to the particular user as well as not linked to the particular user.

In response to argument (2) of the Applicant, Examiner respectfully disagrees. Since there is specific recitation of how the associations or aggregating occurs, what the characteristic values identify, etc., ratings would satisfy the limitations of "characteristic values", based on the broadest reasonable interpretation of the claims. A characteristic value is a value that is identified with a user or representative of a user, and therefore the rating of Epinions(which expresses another user's evaluation of the opinion of a user) is a value representative of and identifying of the user. Examiner also points out that claim 1 recites "aggregating one or more characteristic values associated with the particular user", not "associating the one or more characteristic values associated with the particular user". Epinions does teach and suggest this aggregation, as explained above in response to argument (1) of the Applicant.

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beth Van Doren whose telephone number is (703) 305-3882. The examiner can normally be reached on M-F, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (703) 305-9643. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

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system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*lwd*

bvd

April 22, 2004

  
**TARIQ R. HAFIZ**  
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